

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
MARCH 6, 1957

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, March 6, 1957; Councilman Fuller, Hughes, Katzakian, Robinson, and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of the previous meetings of February 6 and 20, 1957, were approved as written and mailed with the following correction in the paragraph entitled "Swimming Pool Bids" of the minutes of February 20, 1957: The figure of \$41,000 in the second sentence of the above paragraph is changed to \$42,000.

PUBLIC HEARING

OFF-STREET
PARKING RE-
QUIREMENTS

AMEND ZONING
ORDINANCE

ELIMINATE
SHOPPING
CENTERS

This being the time and place set for the hearing of protests to the proposed amendment of the Zoning Ordinance, Ordinance No. 469, to increase the off-street parking requirements, Mayor Mitchell called for such protests. The City Clerk reported that no written protests had been received. When no oral protests were offered from the audience in attendance, Mayor Mitchell called on City Attorney Mullen, who explained that the City Council had previously agreed to introduce the ordinance amending the Zoning Ordinance with the preamble which will provide for review of off-street parking requirements within Parking District No. 1 after this district is in operation. Mayor Mitchell then called upon Mr. Chapman, Secretary of the Planning Commission, who explained the study which had taken place prior to the recommendations to the Planning Commission. Mr. Lindsay Marshall, Chairman of the City Planning Commission, explained that the amendment had been considered at great length by the Planning Commission and had been recommended by unanimous vote. He added that the Commission felt that this amendment was very important and should be adopted; however, he did not believe the Commission would object to changes in specific figures required for any one use. Their interest was primarily in the adoption of the amendment in general. Councilman Katzakian pointed out that the requirements for grocery stores and integrated shopping centers had been increased a great deal more than the requirements for other uses. He suggested that one parking space for every 100 square feet of building area was setting a minimum which was too high. Councilman Fuller and Councilman Robinson agreed with this statement. It was agreed by the Council that one space for 250 square feet would be a more realistic minimum. Councilman Fuller asked if parking space at the curb would be counted toward the requirement. It was generally agreed that the curb space should not be taken into account. Mr. Culbertson suggested to the City Council that a 1 - 250 for shopping centers might be all right, but he suggested that grocery stores still be required to meet the higher requirement of 1 - 100. The City Clerk explained that the parking situation at the present time at the corner of Lodi Avenue and Crescent Avenue was bad despite the fact that only two of the corners were developed commercially.

ORD. NO. 583
INTRODUCED

He pointed out that much of this development had taken place under the current provisions of the Zoning Ordinance. He also pointed out that it will be difficult for the Building Inspector to enforce one requirement for grocery stores, another requirement for commercial buildings and still a third requirement for integrated shopping centers. He suggested that this problem could be overcome by the establishment of a common standard for all three uses. Mr. Jack Hoggatt, Secretary-Manager of the Lodi District Chamber of Commerce, stated that his organization had given consideration to the amendments, and he believed they would not object to easing the requirements for grocery stores, but he felt quite sure they would object strongly to increasing the requirement for commercial from 1 - 500 to a lesser ratio. Mr. Marshall suggested that if the definition of shopping centers would create confusion, this might be overcome by the elimination of any reference to shopping centers in the ordinance. City Clerk Graves stated that the definition of shopping centers is not the thing breeding the difficulty, but rather the definition of commercial buildings. The Building Inspector would have no difficulty setting the requirements when a plan for a shopping center was submitted to him, but he would have difficulty in determining when a commercial building became a shopping center. It was then generally agreed that the definition of integrated shopping centers and any reference to such use would be eliminated from the ordinance. Following the suggestion by the City Attorney that the hearing be continued and the amendments referred to the City Planning Commission for reconsideration of the requirements for commercial buildings and shopping centers, Mr. Marshall stated he did not believe this would be a wise move and he urged the adoption of the ordinance without further delay. Mr. Hoggatt was adamant that requirements for commercial structures should not be increased above the present requirements. He stated the Chamber of Commerce felt to increase the requirements for commercial buildings would have a detrimental effect on the growth of the downtown district. Mayor Mitchell then suggested that the ordinance be introduced with the commercial requirements remaining at 1 - 500 and all references to shopping centers deleted. Councilman Katzakian then offered the following motion, "With the understanding that when off-street parking lots have been acquired and are in use within the parking district, the City Council will review the parking requirements for the district and will eliminate all requirements for off-street parking or reduce the requirements for off-street parking, if in the opinion of the Council such action is warranted, I move that Ordinance No. 583 be introduced." The motion was seconded by Councilman Fuller and adopted by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian and Mitchell

NOES: Councilmen - Robinson

ABSENT: Councilmen - None

REZONING BEL-AIR SUBD. NO. 2
ORD. NO. 584
INTRODUCED

Mayor Mitchell then called for the hearing of protests to the proposed rezoning of the subdivision known as Bel-Air Number 2 from the R-1 to the R-2 residential zoning. Therebeing no protests either written or oral, Ordinance No. 584, approving the rezoning as recommended by the City Planning Commission was introduced on the motion of Councilman Robinson, Katzakian second.

REZONING LOCKEFORD AND HAM LANE
ORD. NO. 585
INTRODUCED

Mayor Mitchell then called for protests to the proposed rezoning from C-1 to R-4 residential zone for a portion of the property located at the northwest corner of Ham Lane and Lockeford Street. The Mayor called on the City Clerk who explained that this 3.75-acre parcel of land was zoned C-1 in December, 1955, after receiving assurance in the form of a letter from the owners, and prospective developers of the property that an integrated shopping center would be developed on this site. This letter from the property owners also gave assurance that the City Council would be at liberty, after January 1, 1957, to rezone such part of the property as was not then devoted to commercial use or being developed as a commercial use. He explained that none of the signers to this letter are now owners of the property. The present owner has acknowledged that he was aware of the letter and its contents, but he has now asked that the portion of the property fronting on Ham Lane and Lockeford Street be retained as commercial property, and that the balance of the parcel be rezoned from C-1 to R-4. The present owner had already secured a building permit for the construction of a commercial building on a portion of the property fronting on Lockeford Street, and has plans for the construction of a retail nursery on that property facing on Ham Lane. The City Clerk then exhibited tentative maps approved by the City Planning Commission for subdivision of the property which is proposed for R-4 zoning. He also exhibited maps demonstrating that it would be possible to develop the adjoining property for residential use. Councilman Robinson stated he objected to the tentative map of the subdivision on the basis that it included a street which would end in a cul-de-sac. Ordinance No. 585, approving the rezoning as recommended by the City Planning Commission, was then introduced on the motion of Councilman Robinson, Katzakian second. The motion was carried by the following vote:

AYES: Councilmen - Hughes, Katzakian, Robinson and Mitchell

NOES: Councilmen - Fuller

ABSENT: Councilmen - None

Councilman Robinson then moved, Fuller second, that the tentative map of Rodine Square Subdivision be referred back to the City Planning Commission for further study of street design. The motion passed by unanimous vote.

COON REZONING
REJECTED

Mayor Mitchell then called for protests of the proposed rezoning from R-3 to C-1 of Lot 55 and portion of Lots 54 and 56 of the Knoll Subdivision. No protests either written or oral were received. Councilman Fuller stated he believed the recommendation of the City Planning Commission to rezone only a portion of the corner to commercial was questionable planning. He said he objected to the recommendation on the basis that it would leave the lot on the corner of Rimby and Hutchins Streets zoned for residential use, while the property lying to the west and to the south is commercialized. He felt that the entire corner should carry the same zoning classification. Mr. Culbertson addressed the Council to explain that the residents of the area had opposed the commercial zoning for the corner property which is now in a residential use, but they did not object to the commercial zoning of the property now in commercial use but in a non-conforming status. It was explained that the owner of the property facing Rimby Avenue wishes to remodel the metal structure on Rimby Avenue to make it more attractive, but he was unable to secure a loan on the property because it was not zoned for commercial use. Councilman Katzakian then moved, Fuller second, that the recommendation of the Planning Commission be rejected. The motion was passed by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, and Robinson

NOES: Councilmen - Mitchell

ABSENT: Councilmen - None

REZONING POR.
OF CRESCENT MANOR
SUBD. & POR.
STURLA SCHOOL ADD.

Mr. Weller then read from the minutes of the City Planning Commission meeting of February 25, the recommendation by the Commission that Lots 16 and 17 of Crescent Manor Subdivision be rezoned from R-3 to R-4. He also read a recommendation from the Commission that lots 6, 7, 8, 9, and 10 of Block 1, Sturla School Addition be rezoned from R-4 to C-1. These matters were then set for public hearing on March 20, 1957.

HAUSAUER USE
PERMIT

Mr. Weller then read from the minutes of the same meeting that a use permit had been granted to Mr. Emil Hausauer for the operation of an automotive wrecking yard at 614 South Main Street. He informed the City Council that a petition had been filed with the City Clerk, in accordance with the zoning ordinance, appealing the decision by the Planning Commission for the use permit. A letter dated March 1, 1957, from Mr. F.I. Collier, protesting the use permit was read by the City Clerk. The public hearing on the appeal was set for March 20, 1957, on the motion of Councilman Robinson, Hughes second.

WRECKING YARD

REPORTS OF THE CITY MANAGER

LODI LAKE PARK The City Manager read a letter, dated February
ABANDONED BY 18, 1957, from the Chief of the State Division of
STATE Beaches and Parks. The letter in part reads as
follows: "The State Park Commission at their
meeting held in Sacramento on February 15, 1957,
gave further and close consideration to the
desirability of proceeding with the establishment
of a State park at Lodi Lake. It was unanimously
decided, particularly with the intrusion of the
subdivision into the heart of the project, that
it would be inadvisable to continue with our plans
for a park at that location. Therefore, we are
returning herewith the deed to the City property
and our file on the project is being closed."
LAKE OPERATING Mr. Weller then advised the Council that the
AGREEMENT operating agreement for Lodi Lake Park, which the
CANCELLED City had signed with the Division of Beaches and
Parks, had likewise been cancelled and returned
to the City on March 4, 1957. Councilman Robin-
son stated that although he did not question the
authority of the State Division of Beaches and
Parks to eliminate Lodi Lake Park from the State
Park system, he felt it was very unfair for them
to place the blame for their action on Mr. Howard
Mason and Mr. J.N. Ballantyne, the developers of
Willow Glen Subdivision. He stated that every
step taken by the subdividers was done with the
knowledge of the Division of Beaches and Parks.
Councilman Fuller agreed with this statement,
adding that it appeared to him to be an excuse
rather than a reason.

RENTAL OF Mr. Weller submitted a proposed agreement for
STADIUM TO use of Lodi Stadium by the Western Auto Racing
WESTERN AUTO Association. He pointed out that the Association
RACING ASSO. had rented the facilities during 1956, and the
present contract is identical to the 1956 agree-
ment. He also informed the Council that the
agreement had been approved by the Recreation
Commission. The contract was approved and the
Mayor authorized to sign on the motion of Coun-
cilman Fuller, Katzakian second.

CENTRAL CALIF. The City Manager reported a request had been
TRACTION CO. received from the Central California Traction
RELOCATE BLDG. Company for permission to relocate, on the same
lot, their packing shed on the southwest corner of
Maple and Lockeford Streets. The present shed is
now parallel with Maple Street, whereas in the
new position it will be parallel with Stockton
Street. They further request industrial type
curb and gutter on Stockton Street in front of
the newly located site. This would constitute a
continuous driveway from Maple Street south for
a distance of 120 feet. The City Engineer pointed
out that Stockton Street is planned for a 60-
foot paved width which will require an additional
5 feet for sidewalk over and above the existing
right-of-way. He suggested that the request
could be granted on the condition that they deed
an additional 5 feet to the City for widening
purposes. He further suggested that the City
provide in line with its present policy, curb,
gutter and sidewalks in exchange for dedication
of the land. Action on the request was deferred
to the next meeting in order to gather infor-
mation on the availability of additional right-
of-way along the balance of the street.

PLANNING DIRECTOR
ESTABLISHED

The City Manager then recommended that the City Council authorize the position of a Planning Director at a salary range of \$550 to \$640 per month. He further recommended that the position be established as an unclassified position. The recommendation was approved on the motion of Councilman Hughes, Katzakian second.

CLAIMS

Claims in the amount of \$68,438.68 were approved on the motion of Councilman Katzakian, Robinson second.

ELIMINATION OF
DIAGONAL PARKING
ON STOCKTON ST.

ORDINANCE NO. 582, ENTITLED "AN ORDINANCE REPEALING SECTION 194(j) OF ORDINANCE NO. 493, ENTITLED 'AN ORDINANCE OF THE CITY OF LODI REGULATING TRAFFIC UPON THE PUBLIC STREETS AND REPEALING ORDINANCES NOS. 64, 137, 222, 233, 446, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith' TO ELIMINATE DIAGONAL PARKING ON NORTH STOCKTON STREET BETWEEN ELM AND LOCUST STREETS", having been introduced at the February 20, 1957 meeting, was brought up for passage on the motion of Councilman Robinson, Hughes second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

ORD. NO. 582
ADOPTED

AYES: Councilmen - Hughes, Robinson and Mitchell

NOES: Councilmen - Fuller and Katzakian

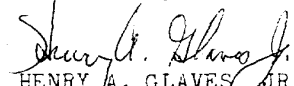
ABSENT: Councilmen - None

Ordinance No. 582 was then signed by Mayor Mitchell in approval thereof.

SOUTHERN BAPTIST
CHURCH REQUESTS
EXT. OF WATER
SERVICES

The City Clerk informed the Council that the Southern Baptist Church had requested the extension of water services to the new church site on West Lodi Avenue. He explained that the church has submitted a petition for the annexation of this property, and the Council had previously adopted Resolution No. 1996, declaring its intention to annex the property and setting the matter for public hearing on March 20, 1957. The church desires the service prior to their opening on March 17, 1957. Councilman Katzakian moved, Robinson second, that the request for water service be granted on a temporary basis to be terminated if and when a protest to the annexation is filed with the City Council, or June 1, 1957, whichever date occurs first; and that the service be granted only upon the receipt of a letter from the Southern Baptist Church acknowledging its understanding that the service be granted only upon the receipt of a letter from the Southern Baptist Church acknowledging its understanding that the service granted is temporary. The motion was adopted by unanimous vote.

The meeting was adjourned at 10:45 p.m. on the order of the Mayor.

ATTEST:  HENRY A. GRAVES, JR.
City Clerk